

REMARKS

Claims 1-3, 7 and 9-13 are pending in this application after this amendment. Claims 4-5, 8 and 14-18 have been canceled without prejudice or disclaimer to the subject matter included therein. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

By this amendment, Applicants have amended the claims to more appropriately recite the claimed invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejections, but merely to timely advance prosecution of the present application.

Official Action

In the outstanding Official Action, the Examiner rejected claims 14, 15, and 18 under 35 U.S.C. §112, first paragraph; and rejected claims 1-4, 7 and 9-13 under 35 U.S.C. §103(a) as being unpatentable over Sasaki (PCT Publication No. WO 97/50243) in view of Ozawa (USP 6,115,137). Applicants respectfully traverse these rejections.

Applicants wish to thank the Examiner for indicating that claim 5 includes allowable subject matter.

Claim Rejections – 35 U.S.C. §112

The Examiner rejected claims 14, 15, and 18 under 35 U.S.C. §112, first paragraph, asserting the claims contain subject matter which was not described in the specification in such a way as to reasonable way to convey that the inventor has possession of the claimed invention. By this amendment, Applicants have canceled these claims. As such, it is respectfully requested that the outstanding rejection be withdrawn.

Rejection under 35 U.S.C. §103

By this amendment, Applicants have amended claims 1 and 11 to include the allowable subject matter of claim 5. Applicants have further canceled claims 14-18. Based on this amendment, Applicants respectfully submit that this application is now in proper form for allowance.

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet Reg. No. 52,327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: August 22, 2008

Respectfully submitted,

By 
Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicants